

1. That we denounce gambling in connection with fairs and elsewhere as immoral and dangerous to society and the stability of government.

2. That we respectfully call upon our Representatives in particular, and the Texas Legislature as a whole, to enact a law that will put all gamblers out of business in Texas.

3. That we regard with horror the inroads being made upon our civil Sunday for purposes of money making and amusement, and affirm that unless our civil Sunday is maintained our American government can not stand. This is the voice of history which the wise will not ignore.

4. That we respectfully demand of our Legislature the enactment of a law, with adequate penalties, prohibiting the Sunday railroad excursions, the opening of fairs on Sunday, Sunday theaters and Sunday baseball and football games.

Signed—S. H. Johnson, Chairman; F. E. Hailey, Secretary.

By Senator Paulus:

We, the undersigned business men, taxpayers and citizens of the city of La Grange, Texas, respectfully urge that you use all honorable means in your power to secure such an amendment to the anti-pass law as will permit duly elected delegates of our State Firemen's Association the use of free transportation to and from our annual conventions. We not only urge that you vote for this measure when presented, but fight for its adoption, even though our Governor may veto it.

Numerously signed.

TWENTY-FIFTH DAY.

Senate Chamber,

Austin, Texas,

Monday, February 15, 1909.

Senate met pursuant to adjournment. Lieutenant Governor A. B. Davidson presiding.

Roll call, quorum present, the following Senators answering to their names:

Adams.	Hume.
Alexander.	Kellie.
Brachfield.	Masterson.
Bryan.	Mayfield.
Cofer.	Murray.
Greer.	Paulus.
Hayter.	Peeler.
Holsey.	Perkins.
Hudspeth.	Real.

Senter.	Veale.
Stokes.	Ward.
Sturgeon.	Watson.
Terrell of Bowie.	Weinert.
Terrell of McLennan.	Willacy.

Absent.

Harper.	Thomas.
Meachum.	

Prayer by the Chaplain, Rev. H. M. Sears.

Pending the reading of the Journal of yesterday, on motion of Senator Perkins, the same was dispensed with.

TELEGRAM FROM PORT ARTHUR.

The Chair had the following telegram read to the Senate:

Port Arthur, Texas, Feb. 14, 1909.

President of the Senate, Austin, Texas:

A Houston paper gives great display lines to an Austin dispatch of the 11th instant, headed "Port Arthur Rapped," and stating a portion of Moller's bill a trick, etc. We are in hearty sympathy with the Moller bill and hope for its passage. Kindly have this communication read before your members.

PORT ARTHUR BOARD OF TRADE,
C. F. IRELAND, President.

INVITATION TO VISIT GALVESTON.

Senator Masterson offered the following invitation to visit Galveston:

Galveston, Texas, Feb. 13, 1909.

Hon. T. W. Masterson, Hon. Jens Moller and Hon. Marsene Johnson, Austin, Texas.

Dear Sirs: The city of Galveston, through you, desires to tender for transportation of Senate and House of Representatives of the State of Texas, twelve sleepers, to be used in carrying our guests from Austin to Galveston and return. These sleepers will be at depot in Austin, Friday evening, February 19, and will be subject to the orders of the two houses.

Please advise of your acceptance at once, and give hour at which our visitors will arrive in Galveston.

Yours truly,

H. A. LANDES,
Mayor-President.

Senators Terrell of Bowie and Cofer moved that the invitation be accepted.

and the train leave at 9 o'clock Friday night, February 19.

SENATE BILL NO. 43—FREE CONFERENCE COMMITTEE REPORT.

Senator Hume offered the following Free Conference Committee report:

Austin, Texas, February 12, 1909.

Hon. A. B. Davidson, President of the Senate, and Hon. A. M. Kennedy, Speaker of the House.

Sirs: We, your Free Conference Committee appointed to consider and agree upon Senate bill No. 43 and House amendments to same, beg leave to report that we have considered same, and recommend that the Senate recede from its non-concurrence in House amendments, and that the Senate do concur in same.

Respectfully,

STANDIFER,
CHANEY,
CANALES,
WORTHAM,

On the part of the House.

HUME,
KELLIE,
PEELER,
HUDSPETH,

On the part of the Senate.

The committee report was adopted.

SENATE BILL NO. 43—HOUSE AMENDMENTS CONCURRED IN.

Senator Hume then moved that the Senate concur in the House amendments to Senate bill No. 43 (see proceedings of Friday for amendments).

The motion to concur prevailed by the following vote:

Yeas—27.

Adams.
Alexander.
Brachfield.
Bryan.
Cofer.
Greer.
Hayter.
Holsey.
Hudspeth.
Hume.
Kellie.
Masterson.
Mayfield.
Murray.

Paulus.
Peeler.
Perkins.
Real.
Senter.
Stokes.
Sturgeon.
Terrell of Bowie.
Terrell of McLennan.
Ward.
Watson.
Weinert.
Willacy.

Absent.

Harper.
Meachum.

Thomas.
Veale.

CONTINGENT EXPENSE COMMITTEE REPORT.

By Senator Terrell of Bowie:

Committee Room,

Austin, Texas, February 15, 1909.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Contingent Expenses beg leave to report that the account of Tobin's Book Store for contingent expenses of the Senate of the Thirtieth Legislature was referred to us; that this committee is of the opinion that this is not a proper matter for it to consider. It, therefore, recommends to the Senate that a committee of three Senators be appointed to investigate this account and arrive, as nearly as possible, at the amount that is justly due on same, and recommend and request the Finance Committee to provide in the deficiency bill for the payment of same. In compliance with the request of the Lieutenant Governor the committee recommends further that the President Pro Tem. appoint said committee.

TERRELL of Bowie, Chairman.

The above report was read and adopted.

SPECIAL COMMITTEE APPOINTED.

Here President Pro Tem. Terrell announced the appointment of the following as the special committee as provided for in above report: Senators Willacy, Holsey and Terrell of McLennan.

INVITATION TO VISIT LAREDO.

Senator Willacy offered the following invitation:

Laredo, Texas, February 11, 1909.

Hon. John G. Willacy, Senator District No. 23, Austin, Texas.

Dear Sir: With this we are enclosing an invitation to you to be present at our annual celebration of Washington's birthday, and desire that you, as a Senator from this district, extend this invitation to the Senate.

Special invitations will be sent to the Governor, Lieutenant Governor, Speaker of the House and State officers.

Arrangements are now being made at Austin for a special legislative train, providing that enough members will signify a willingness to visit this territory.

It is the most delightful time to make Laredo and Webb county a visit, as 2000 acres of onions in this vicinity are at their most beautiful stage of growth, and people from other parts of the State would be both pleased and surprised to be able to see them.

On behalf of the citizens of Laredo and Webb county, we request you to extend this invitation for us and hoping to be advised that you will make the trip.

If we can learn about the time that any of your party would be here, we will make arrangements for them to visit some of the largest of the onion fields and show them around, as well as taking in the general entertainments furnished for the occasion.

Thanking you in advance, I am,

Very sincerely,

FRANK E. SCOVILLE,

Chairman Invitation Committee.

INVITATION.

On behalf of the citizens of Laredo, Texas, we cordially invite you to attend and participate in the annual celebration of the anniversary of Washington's birthday, February 21, 22 and 23, 1909.

F. E. SCOVILLE, Chairman,
J. S. PENN,
E. A. ATLEE,
R. V. MARTIN,
A. LEON DE GRAJEDA,
J. R. MOORE,
C. M. FISH,
Invitation Committee.

SIMPLE RESOLUTIONS.

Senator Hume offered the following simple resolution:

Resolved by the Senate, That the following resolution by the Board of Regents of the University of Texas be approved:

"At a regular meeting of the Board of Regents of the University of Texas, held at Austin, January 19, 1909, the following minute was unanimously adopted:

"Perceiving the far-reaching service of the Carnegie foundation for the advancement of teaching in increasing the dignity of the teacher's office, in protecting the old age of unselfish public serv-

ants and assuring them that their wives will be provided for even after their death, and in increasing the efficiency and promoting education the Regents of the University of Texas make application for the admission of the University of Texas into all the rights and privileges of this foundation for the advancement of teaching.'"

The resolution was read, and

Senator Terrell of Bowie offered the following amendment to the resolution:

Amend the resolution by adding thereto the following: "Provided, no teacher shall ever receive any benefit from this fund until he has made affidavit before some officer authorized to administer oaths that he has never mentioned Carnegie's name in the class room or to any student since the passage of this resolution, and that Carnegie's picture has never been hung upon the walls of any school in which he has taught since the passage of this resolution."

FIRST HOUSE MESSAGE.

Hall of the House of Representatives,
Austin, Texas, February 15, 1909.

Hon. A. B. Davidson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

House bill No. 267, A bill to be entitled "An Act to amend Article 1019, Title 27, Chapter 16, of the Revised Statutes of the State of Texas, relating to appearance by brief of attorneys for either party in the Courts of Civil Appeals, and declaring an emergency."

House bill No. 51, A bill to be entitled "An Act requiring railways and railroad corporations, or lessees thereof, operating within the State of Texas, and having their repair shops in the State, to repair, renovate and rebuild and overhaul all defective or broken cars, coaches, locomotives or other equipment in the State of Texas, and prohibiting any railway or railroad corporation from sending or moving any defective cars out of the State to be repaired, renovated or rebuilt, and fixing a penalty for the violation of the provisions of this act."

House bill No. 58, A bill to be entitled "An Act to amend Article 1050, and to repeal Article 1051, Chapter 23, Title 27, of the Revised Statutes of the State of Texas."

House bill No. 26, A bill to be entitled "An Act to provide for compulsory at-

tendance upon the public, private and parochial schools of children between the ages of seven and seventeen; to authorize commissioners courts to make appropriations to reimburse indigent families for loss of time or wages of children while in attendance upon school, and to furnish necessary clothing to children of destitute parents; also providing that district trustees, city boards or other officers having control of the public school may purchase and furnish text-books to be used by children of indigent parents, and pay for same out of school funds, and providing penalties," with engrossed rider.

House bill No. 168, A bill to be entitled "An Act to amend Section 1 of an act of the Thirtieth Legislature, entitled 'An Act to define and prohibit discrimination against persons seeking employment, and to prescribe penalties for the breach of said act,' approved April 5, 1907, by adding thereto provisions requiring statements in writing from corporations and receivers to employees voluntarily leaving the employment, and requiring further that copies of statements shall be given to employees who have lost or are otherwise deprived of the use of the originals, and prescribing more particularly what facts shall be set out in all such statements."

Senate bill No. 89, A bill to be entitled "An Act to amend Sections 2, 11, 12, 13, 16, 17, 22, 23, 29, 30, 41 and 44 of Chapter 40 of the General Laws of the State of Texas, passed at the Regular Session of the Thirtieth Legislature of Texas, entitled 'An Act to authorize the commissioners courts of the several counties of Texas to create and establish drainage districts, to construct canals, drains and ditches, to make levees, improve streams and water courses, and make other improvements for the purpose of drainage; to order and hold elections for the purpose of voting on drainage propositions, and authorizing the issuance of bonds and levy of tax, and to issue bonds in payment for such drainage improvements and the maintenance thereof, and to levy and collect taxes for the payment of such bonds; to appoint drainage commissioners and all other necessary officers of such drainage districts for the purpose of carrying into effect the provisions of this act; granting the right of eminent domain to such drainage districts, and authorizing the drainage commissioners to acquire by purchase, gift or grant, for such district, title to any right of way and other property, and generally authorizing the county commissioners court and the

drainage commissioners to do all things necessary for the establishing and maintenance of such districts according to the provisions of this act; repealing all laws and parts of laws in conflict herewith, and declaring an emergency"; validating certain proceedings had and bonds heretofore issued and registered, providing for additional bonds, repealing all laws in conflict herewith, and declaring an emergency," with amendments.

House bill No. 182, A bill to be entitled "An Act to provide for revising, digesting and publishing the civil and criminal laws of the State of Texas; making an appropriation therefor, and declaring an emergency," with engrossed rider.

House bill No. 255, A bill to be entitled "An Act to amend Article 119a, Chapter 4, Title 18, of the Revised Statutes of the State of Texas, by inserting in said Chapter 4, immediately following said Article 1119, an Article to be designated and known as Article 1119a, providing for the extension of the time of the regular sessions of the various courts of the State of Texas, and declaring an emergency," with engrossed rider.

House bill No. 197, A bill to be entitled "An Act to amend Chapter 124, Section 71, of an act passed by the Twentieth Legislature, and empowering school trustees to order temporary suspension of schools," with engrossed rider.

House bill No. 35, A bill to be entitled "An Act to amend Article 375, Title 2, Chapter 2 of the Penal Code of Texas, relating to raffles," with engrossed rider.

House bill No. 75, A bill to be entitled "An Act to exempt Collin county from the provision contained in Section 1 of Chapter 168 of the General Laws of the Regular Session of the Thirtieth Legislature, relative to the appointment and qualification of county auditors," with engrossed rider.

House bill No. 109, A bill to be entitled "An Act to create a Bureau of Labor Statistics, and to provide for the appointment of a Commissioner of said Bureau, and to fix the duties of said Commissioner, and to provide for the organization and maintenance of the said Bureau, and for the collection, preservation, and dissemination of labor statistics in Texas," with engrossed rider.

The House requests the Senate to return Senate bill No. 35 for correction,

Also grants the request of the Senate for a Free Conference Committee on Senate bill No. 43, and the following has been appointed on the part of the House:

Messrs. Standifer, Chaney, Munson,
Wortham, Canales.

Respectfully,
BOB BARKER,
Chief Clerk, House of Representatives.

BILL RETURNED TO HOUSE FOR CORRECTION.

Here Senator Terrell of McLennan moved that the Senate grant the request of the House for the return of Senate bill No. 35, for correction. (See above House message for request.)

The motion prevailed.

SIMPLE RESOLUTION.

Action then recurred on the simple resolution by Senator Hume, the question being on the amendment by Senator Terrell of Bowie.

Senator Hume moved to table the amendment, which motion prevailed by the following vote:

Yeas—22.

Adams.	Paulus.
Alexander.	Peeler.
Cofer.	Perkins.
Hayter.	Real.
Hudspeth.	Senter.
Hume.	Sturgeon.
Kellie.	Terrell of McLennan.
Masterson.	Ward.
Mayfield.	Watson.
Meachum.	Weinert.
Murray.	Willacy.

Nays—6.

Brachfield.	Holsey.
Bryan.	Stokes.
Greer.	Terrell of Bowie.

Absent.

Harper.	Veale.
Thomas.	

Pending discussion on the resolution, Senator Willacy moved that further consideration be postponed and that same be made a special order for tomorrow morning at the conclusion of the morning call.

The motion prevailed.

EXECUTIVE MESSAGE.

Executive Office,
State of Texas,

Austin, Texas, February 15, 1909.

To the Senate:

The advice and consent of the Senate

is requested on the following appointments:

D. B. Hill of Dallam county, to be judge of the Sixty-ninth Judicial District of Texas.

J. C. O'Bryan of Hartley county, to be district attorney of the Sixty-ninth Judicial District of Texas.

J. B. Robertson of Travis county, as a member of the Board of Managers of the Lunatic Asylum at Austin; vice F. T. Ramsey, resigned.

J. J. Davis, Travis county, as a member of the Board of Managers of the Confederate Home at Austin; vice W. H. Richardson, resigned.

Dr. R. H. McLeod of Anderson county, as a member of the Board of Medical Examiners; vice Dr. G. B. Foscue, resigned.

T. M. CAMPBELL, Governor.

EXECUTIVE SESSION—TIME SET FOR.

Senator Terrell of Bowie moved that the Senate go into executive session tomorrow at 11 o'clock a. m., for the purpose of considering the above appointments by the Governor.

The motion prevailed.

SECOND HOUSE MESSAGE.

Hall of the House of Representatives,
Austin, Texas, February 15, 1909.

Hon. A. B. Davidson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has adopted the report of the Free Conference Committee on Senate bill No. 43.

Also passed

House Concurrent Resolution No. 8, Relative to inviting the National Education Association to hold its next meeting in Texas in 1910.

Respectfully,

BOB BARKER,
Chief Clerk, House of Representatives.

BILLS AND RESOLUTIONS.

By Senator Cofer:

Senate bill No. 195, A bill to be entitled "An Act to abolish the rule known as the rule in Shelley's case, and to provide that in such case the words 'heirs' or 'heirs of the body' shall be construed to be words of purchase and not words of limitation, and declaring an emergency."

Read first time, and referred to Judiciary Committee No. 1.

By Senator Weinert:

Senate bill No. 196, A bill to be entitled "An Act creating an independent school district in the county of Gonzales, State of Texas, to be known as the Nixon Independent School District, and to have all the powers, rights and duties of independent school districts formed by the incorporation of towns and villages for free school purposes only."

Read first time, and referred to Committee on Educational Affairs.

By Senator Paulus:

Senate bill No. 197, A bill to be entitled "An Act to amend Section 14 of Chapter 49 of the General Laws of the Twenty-seventh Legislature, said chapter being entitled 'An Act to create a more efficient road system for Fayette, Uvalde and Frio counties, Texas,' providing the manner in which the road and bridge fund of said counties shall be expended, and declaring an emergency."

Read first time, and referred to Committee on Roads, Bridges and Ferries.

By Senator Veale:

Senate bill No. 198, A bill to be entitled "An Act to authorize the Wichita Falls Railway, to own and operate as its own the Wichita Falls & Northwestern Railway Company and the Wichita Falls & Southern Railway Company."

Read first time, and referred to Committee on Internal Improvements.

By Senator Sturgeon:

Senate bill No. 199, A bill to be entitled "An Act to provide for the establishment and maintenance of a school of agriculture and the mechanical arts, with a department of domestic science, in each of the respective congressional districts of this State, and to make an appropriation, and declaring an emergency."

Read first time, and referred to Committee on Educational Affairs.

By Senator Murray:

Senate bill No. 200, A bill to be entitled "An Act creating an independent school district, to be known as the Goliad Independent School District, including within its limits the unincorporated town of Goliad, in Goliad county, and to provide for the creation of a board of trustees thereof, and authorize the board of trustees to levy, assess and collect special taxes, and conferring upon

the board of trustees powers and authority to issue bonds for the purpose of purchasing school sites, and erecting, repairing, furnishing and equipping school buildings within the same, and to pay current expenses in the maintenance and support of said schools, and to further prescribe the duties and authorities of said board of trustees."

Read first time, and referred to Committee on Educational Affairs.

By Senators Cofer, Sturgeon and Ward:

Senate bill No. 201, A bill to be entitled "An Act to amend Articles 2941, 2942, 2943, 2944, 2945, 2946, 2947, 2948, 2949, 2950, 2951, 2952 and 2955 of Title 54 of the Revised Statutes of the State of Texas, 1895, relating to the house of correction and reformatory; providing for a change of its name; providing for its control, management, support, maintenance and regulation; providing who shall be or become inmates, paroled or released; providing that juveniles convicted in juvenile courts be sent there; providing means of entrance for all incorrigible boys; repealing all laws in conflict herewith, and declaring an emergency."

Read first time, and referred to Committee on State Affairs.

By Senators Cofer, Sturgeon and Ward:

Senate bill No. 202, A bill to be entitled "An Act to amend Section 9 of Chapter 65 of the General Laws of the Thirtieth Legislature, entitled 'An Act to define "delinquent child" and to regulate the treatment and control of same'; providing for commitment of delinquent juveniles to the State Institute for the Training of Juveniles; providing procedure, repealing all laws in conflict herewith, and declaring an emergency."

Read first time, and referred to Committee on State Affairs.

By Senators Cofer, Sturgeon and Ward:

Senate bill No. 203, A bill to be entitled "An Act to amend Articles 1145 and 1146 of Title 17 of the Code of Criminal Procedure of the State of Texas as adopted in the Revised Statutes of 1895, relating to the house of correction and reformatory; providing that in certain cases persons under sixteen years of age convicted of a felony shall be confined in the State Institute for the Training of Juveniles; providing that this amendment shall not effect, modify or vitiate

any judgment heretofore rendered, confining any person to the house of correction or reformatory; repealing all laws in conflict herewith, and declaring an emergency."

Read first time, and referred to Committee on State Affairs.

By Senators Stokes and Sturgeon:

Senate bill No. 204, A bill to be entitled "An Act to amend Title 18, Chapter 2 of the Revised Civil Statutes of Texas by adding thereto Article 399a, providing for the election of a city attorney in incorporated cities and towns of 5000 population and less, and fixing fees of office, and to repeal all laws in conflict herewith, and declaring an emergency."

Read first time, and referred to Committee on Judicial Districts.

By Senator Peeler:

Senate bill No. 205, A bill to be entitled "An Act to amend Article 650b, Chapter 2, Title 21 of the Revised Statutes of the State of Texas as amended by the Twenty-ninth Legislature, Chapter 53, page 73, and as amended by the Thirtieth Legislature, Chapter 152, page 294, with an emergency clause."

Read first time, and referred to Committee on Towns and City Corporations.

By Senator Peeler (by request):

Senate bill No. 206, A bill to be entitled "An Act to provide in favor of architects or other persons for services rendered in drawing and preparing plans and specifications for the erection or improvement of any building or other structure, or in superintending the erection or improvement of such building or other structure, or for both, a lien on such building or other structure and the lot, or lots or land upon which the same is situated, to secure the payment of the value of such services as agreed upon, or the reasonable value thereof, and declaring an emergency."

Read first time, and referred to Judiciary Committee No. 1.

By Senator Hume:

Senate bill No. 207, A bill to be entitled "An Act to provide for a deputy county superintendent of schools of Harris and Travis counties, and prescribing duties and qualifications of same."

Read first time, and referred to Committee on Educational Affairs.

By Senator Cofer:

Senate bill No. 208, A bill to be entitled

"An Act to amend Chapter 4, Title 28 of the Revised Civil Statutes of 1895, by adding an additional article to said chapter, to be known as Article 1119a, and providing for extending terms of district courts in certain cases, and declaring an emergency."

Read first time, and referred to Judiciary Committee No. 1.

By Senator Terrell of McLennan:

Senate bill No. 209, A bill to be entitled "An Act to amend Section 5, Chapter 131, Acts of the Regular Session of the Thirtieth Legislature, approved April 18, 1907, and entitled 'An Act to amend Sections 1, 4, 5, 6 and 11 of Chapter 108, Acts of the Twenty-ninth Legislature, being an act entitled 'An Act regulating the sale of concentrated commercial feeding stuffs and the materials from which they are manufactured, defining concentrated feeding stuffs, prohibiting their adulteration, providing for their correct weighing and making, and providing for the collection of samples, the expenses of the enforcement of the law and fixing penalties for its violation,' and to add thereto Section 11a, empowering the director of the experiment station to adopt standards and definitions for concentrated feed stuffs, and to refuse the registration of feeding stuffs under certain circumstances, and to cancel registration under certain circumstances after notice, and to employ said director to adopt rules and regulations for the enforcement of all of the provisions of the act.'"

Read first time, and referred to Judiciary Committee No. 2.

By Senator Terrell of McLennan:

Senate bill No. 210, A bill to be entitled "An Act creating the Pate Independent School District in McLennan county, defining its boundaries, providing for a board of trustees thereof, and defining their powers and authority, and declaring an emergency."

Read first time, and referred to Committee on Educational Affairs.

By Senator Alexander:

Senate bill No. 211, A bill to be entitled "An Act to amend Chapter 22 of Title 39 of the Revised Civil Statutes of Texas of 1895, by amending Article 2125 of said chapter, relating to citations in the sale of land by executors or administrators of the estates of decedents, and declaring an emergency."

Read first time, and referred to Judiciary Committee No. 1.

By Senator Alexander:

Senate bill No. 212, A bill to be entitled "An Act to amend Chapter 5, Title 51 of the Revised Civil Statutes of Texas, 1895, by amending Article 2588, relating to the appointment of guardians, and declaring an emergency."

Read first time, and referred to Judiciary Committee No. 1.

By Senator Watson:

Senate bill No. 213, A bill to be entitled "An Act to authorize the county commissioners court of the various counties of the State of Texas to contract for the making and completion of some modern system of indexing of the deed records and other records of their respective counties, and to validate contracts heretofore made by such commissioners courts, and declaring an emergency."

Read first time, and referred to Judiciary Committee No. 1.

By Senator Bryan (by request):

Senate bill No. 214, A bill to be entitled "An Act to make it lawful for railway, express and telegraph companies to contract with each other for the exchange of services; requiring such contract to be filed with the Railroad Commission of Texas, and declaring an emergency."

Read first time, and referred to Committee on Internal Improvements.

By Senator Adams:

Senate bill No. 215, A bill to be entitled "An Act to amend Sections 19 and 24 of an act passed by the Twenty-ninth Legislature, Chapter 47, General Laws, entitled 'An Act creating an independent school district to be known as the Ballinger Independent School District, including within its limits the municipal corporation of the town of Ballinger, and to provide for the creation of a board of trustees thereof, and authorizing the board of trustees to levy, assess and collect special taxes, and conferring upon the board of trustees plenary powers and authority to issue bonds for the purpose of purchasing school sites and erecting, furnishing and equipping school buildings within the same, and to pay current expenses in the maintenance and support of said schools, and further prescribing the duties and authorities of said board, and declaring an emergency.'"

Read first time, and referred to Committee on Educational Affairs.

By Senator Hudspeth (by request):

Senate bill No. 216, A bill to be entitled

"An Act to amend Article 811, of Chapter 5, Title 28 of Revised Statutes of 1895."

Read first time, and referred to Judiciary Committee No. 1.

By Senator Hudspeth:

Senate bill No. 217, A bill to be entitled "An Act changing and fixing the time of holding the courts in the Sixty-third Judicial District of Texas."

Read first time, and referred to Committee on Judicial Districts.

By Senator Senter:

Senate bill No. 218, A bill to be entitled "An Act to better define and punish vagrancy, prescribing the rules of procedure in the prosecution of vagrants, and fixing a punishment for vagrancy, and repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Read first time, and referred to Judiciary Committee No. 2.

By Senator Senter:

Senate bill No. 219, A bill to be entitled "An Act to prevent the impairment of liens on property belonging to estates of decedents and to regulate the enforcement of such liens when their enforcement is provided for by powers of sale."

Read first time, and referred to Judiciary Committee No. 1.

By Senator Senter:

Senate bill No. 220, A bill to be entitled "An Act providing that all bonds or other debts or evidence of debt issued or created after this act shall take effect by the State or by any county, municipality or taxing district of any character shall not be subject to ad valorem taxation."

Read first time, and referred to Judiciary Committee No. 1.

By Senator Senter:

Senate bill No. 221, A bill to be entitled "An Act to prevent ad valorem taxation of interest in property which under the Constitution and laws of this State is itself exempt from ad valorem taxation."

Read first time, and referred to Judiciary Committee No. 1.

By Senator Senter:

Senate bill No. 222, A bill to be entitled "An Act to prevent double ad valorem taxation of interest in property which is encumbered or interests which are

otherwise separately or diversely represented."

Read first time, and referred to Judiciary Committee No. 1.

By Senator Cofer:

Senate bill No. 223, A bill to be entitled "An Act to amend Article 3503, title 73, Revised Civil Statutes of 1895, relating to the appointment of notaries public, and declaring an emergency."

Read first time, and referred to Judiciary Committee No. 1.

By Senator Holsey:

Senate bill No. 224, A bill to be entitled "An Act to amend Chapter 11 of the General Laws of the First Called Session of the Twenty-ninth Legislature, entitled 'An Act to regulate elections and to provide penalties for its violations, and to repeal the acts of the Twenty-eighth Legislature of 1903, regulating elections, general, special and primary, and political conventions, approved April 1, 1903,' by adding thereto Section 111a, providing that all candidates for any Federal, State, district or county office shall prepare and file with the county clerk of the county of said candidate's residence, and with the chairman of the political party with which he is affiliating, a sworn statement of said candidate's relations to and service for any and all corporations for the two years next preceding such filing; providing time and procedure of filing said statement; providing that no candidate's name shall be printed upon the official ballot who fails to comply with the provisions of this act; providing punishment for its violation, and declaring an emergency."

Read first time, and referred to Committee on State Affairs.

Morning call concluded.

SIMPLE RESOLUTION.

Senator Hudspeth offered the following resolution:

Resolved, That the President of the Senate be empowered to have 500 copies of the guarantee bank bill, by Senator Alexander, printed, for distribution by members of the Senate.

The resolution was read, and adopted.

BILLS READ AND REFERRED.

The Chair (Lieutenant Governor Davidson) had referred, after their captions had been read, the following House bills

(see first House message for captions of):

House bill No. 75, referred to Judiciary Committee No. 1.

House bill No. 35, referred to Judiciary Committee No. 2.

House bill No. 197, referred to Committee on Educational Affairs.

House bill No. 255, referred to Committee on Judicial Districts.

House bill No. 182, referred to Judiciary Committee No. 1.

House bill No. 168, referred to Committee on Internal Improvements.

House bill No. 26, referred to Committee on Educational Affairs.

House bill No. 58, referred to Judiciary Committee No. 1.

House bill No. 51, referred to Committee on Internal Improvements.

House bill No. 267, referred to Judiciary Committee No. 1.

House bill No. 109, referred to Committee on Labor.

SENATE BILL NO. 90.

On motion of Senator Ward, the pending order of business (Senate bill No. 156) was suspended, and the Senate took up, out of its order, Senate bill No. 90, by the following vote:

Yeas—29.

Adams.	Paulus.
Alexander.	Peeler.
Brachfield.	Perkins.
Bryan.	Real.
Cofer.	Senter.
Greer.	Stokes.
Hayter.	Sturgeon.
Holsey.	Terrell of Bowie.
Hudspeth.	Terrell of McLennan.
Hume.	Veale.
Kellie.	Ward.
Masterson.	Watson.
Mayfield.	Weinert.
Meachum.	Willacy.
Murray.	

Absent.

Harper.

Thomas.

The Chair laid before the Senate, on second reading,

Senate bill No. 90, A bill to be entitled "An Act to amend Article 2439 of Chapter 1 of Title 45 of the Revised Statutes of the State of Texas of 1895, in reference to fees of office to be charged and collected by certain State officers, as amended by Chapter 91 of the General Laws of the Regular Session of the

Twenty-ninth Legislature as amended by Chapter 22 of the General Laws of the First Called Session of the Thirtieth Legislature so as to provide a maximum permit fee to be charged foreign corporations organized for the purpose of lending money, and declaring an emergency."

There being an adverse committee report with a favorable substitute for the bill,

Senator Ward moved the adoption of the committee report.

The motion prevailed, and

The Chair laid before the Senate the substitute bill.

SENATE BILL NO. 89—REFUSE TO CONCUR IN HOUSE AMENDMENTS.

Senator Masterson here called up

Senate bill No. 89, A bill to be entitled "An Act to amend Sections 2, 11, 12, 13, 16, 17, 22, 23, 29, 30, 35, 41 and 44 of Chapter 40 of the General Laws of the State of Texas passed at the Regular Session of the Thirtieth Legislature of Texas, entitled 'An Act to authorize the commissioners courts of the several counties of Texas to create and establish drainage districts, to construct canals, drains and ditches, to make levees, improve streams and water courses, and make other improvements for the purpose of drainage; to order and hold elections for the purpose of voting on drainage improvements and the maintenance thereof, and to levy and collect taxes for the payment of such bonds; to appoint drainage commissioners and all other necessary officers of such drainage districts for the purpose of carrying into effect the provisions of this act; granting the right of eminent domain to such drainage districts, and authorizing the drainage commissioners to acquire by purchase, gift or grant, for such district, title to any right of way and other property, and generally authorizing the county commissioners court and the drainage commissioners to do all things necessary for the establishing and maintenance of such districts according to the provisions of this act; repealing all laws and parts of laws in conflict herewith, and declaring an emergency; validating certain proceedings had and bonds heretofore issued and registered; providing for additional bonds, repealing all laws in conflict herewith, and declaring an emergency,'" "

And moved that the Senate do not concur in the following House amendments, and asked for a Free Conference Committee:

Amend the caption of the bill by inserting between the words "bonds" and "fixing," line 16, page 2, the following words, "election of district drainage commissioners."

Amend by adding to Section 17 the following: "Provided, that after the election establishing a drainage district if a majority of the real property taxpayers of such district residing in such county, present a petition to the county commissioners court, praying for an election in said district for the purpose of electing three drainage commissioners therefor, the county commissioners court shall immediately order an election to be held in said district for said purpose at the earliest legal time and an election shall be held and the returns thereof made as hereinbefore provided, and the same qualifications hereinbefore provided for voting at other elections shall apply in said election. The commissioners court shall canvass said returns and declare the result at their next regular or special session; and the three persons receiving the highest number of votes shall be declared elected. In the event the third highest vote be tied, the commissioners court shall elect the third drainage commissioner from among those receiving the third highest vote. Provided further, that in districts wherein drainage commissioners have been heretofore appointed whenever a majority of the real property taxpaying voters of such district shall file a petition with the county clerk of the county in which such district is situated requesting an election for drainage commissioners, the commissioners court shall, at its next session, regular or special, order an election to be held in said district for said purpose in accordance with the provisions of this act. Such commissioners so elected when duly qualified as required by this act, shall be the legal and rightful drainage commissioners for such district within the full meaning, intent and purpose of this law. All drainage district commissioners elected as herein provided shall hold their offices until the next regular election for State and county officers, and shall then and thereafter be elected every two years at such general election."

Amend by striking out the words, "the drainage commissioners thereof,"

in lines 9 and 10, page 23, and inserting in lieu thereof the following: "The discretion of the persons so to be bonded," and insert after the word "commissioners," in line 13, page 23, the following: "And said drainage commissioners shall pay the premium therefor."

Amend committee amendment Senate bill No. 89, by striking out the words "district drainage," line 23, page 11, and inserting in lieu thereof the words "drainage district."

Amend committee amendment, Senate bill No. 89, page 12, line 17, by striking out the words "the discretion of the persons," and inserting in lieu thereof the word "officers."

Amend committee amendment, Senate bill No. 89, page 11, line 32, by inserting after the word "provided," the words "for other elections."

The motion to non-concur prevailed.

The Chair announced the appointment of the following Free Conference Committee on the above bill:

Senators Masterson, Willacy, Hume, Hudspeth and Kellie.

SENATE BILL NO. 90.

Action then recurred on Substitute Senate bill No. 90 (see former action on same).

(Senator Mayfield in the chair.)

Senator Ward offered the following amendment, which was read and adopted:

Amend by adding after the word "dollars," on page 10, line 22, the following:

"Provided, however, that mutual building and loan companies, so called, whose stock is not permanent, but withdrawal, shall pay a fee of \$50 for the first \$100,000 or fractional part thereof of authorized capital stock, and \$10 for each additional \$100,000 or fractional part thereof, and where the company is a foreign one, then the fee shall be based upon the capital.

"And it shall be the duty of the Secretary of State to require satisfactory proof as to the amount of capital actually employed in this State before issuing any permit to any foreign building and loan company to do business in this State; and provided that a minimum fee of any foreign building and loan company shall be \$250."

Senator Ward offered the following amendment, which was read and adopted:

Amend committee Substitute Senate

bill No. 90, page 10, line 21, by inserting after the word "money," the following: "Or to engage in the manufacture, sale, rental, lease or operation of all kinds of cars, or to engage in conducting, operating or managing any telegraph lines in this State."

Bill read second time, and ordered engrossed.

On motion of Senator Ward, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—29.

Adams.	Paulus.
Alexander.	Peeler.
Brachfield.	Perkins.
Bryan.	Real.
Cofer.	Senter.
Greer.	Stokes.
Hayter.	Sturgeon.
Holsey.	Terrell of Bowie.
Hudspeth.	Terrell of McLennan.
Hume.	Veale.
Kellie.	Ward.
Masterson.	Watson.
Mayfield.	Weinert.
Meachum.	Willacy.
Murray.	

Absent.

Harper. Thomas.

The bill was read third time, and passed by the following vote:

Yeas—26.

Adams.	Paulus.
Alexander.	Peeler.
Bryan.	Perkins.
Cofer.	Real.
Hayter.	Senter.
Holsey.	Sturgeon.
Hudspeth.	Terrell of Bowie.
Hume.	Terrell of McLennan.
Kellie.	Veale.
Masterson.	Ward.
Mayfield.	Watson.
Meachum.	Weinert.
Murray.	Willacy.

Nays—3.

Brachfield. Stokes.
Greer.

Absent.

Harper. Thomas.

Senator Ward moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

(Lieutenant Governor Davidson in the chair.)

SENATE BILL NO. 189.

On motion of Senator Alexander, the pending order of business (Senate bill No. 156) was suspended, and the Senate took up, out of its order, Senate bill No. 189, by the following vote:

Yeas—27.

Adams.	Peeler.
Alexander.	Perkins.
Brachfield.	Real.
Bryan.	Senter.
Cofer.	Stokes.
Greer.	Sturgeon.
Hayter.	Terrell of Bowie.
Holsey.	Terrell of McLennan.
Hudspeth.	Veale.
Hume.	Ward.
Masterson.	Watson.
Mayfield.	Weinert.
Meachum.	Willacy.
Paulus.	

Absent.

Harper.	Murray.
Kellie.	Thomas.

The Chair laid before the Senate, on second reading,

Senate bill No. 189, A bill to be entitled "An Act to create the county court of Tarrant county for civil cases, to fix and prescribe the jurisdiction thereof, and to conform to such change the jurisdiction of the county court of Tarrant county, fixing the salaries of the judges of the county court of Tarrant county and of the county court of Tarrant county for civil cases, providing for the appointment and election of the judges of said court hereby created, providing for the appointment of special judges and filling of said vacancies in said offices, and declaring an emergency."

The committee report, which provided that the bill be not printed, was adopted.

Bill read second time, and ordered engrossed.

On motion of Senator Alexander, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—27.

Adams.	Greer.
Alexander.	Hayter.
Brachfield.	Holsey.
Bryan.	Hudspeth.
Cofer.	Hume.

Masterson.	Sturgeon.
Mayfield.	Terrell of Bowie.
Meachum.	Terrell of
Paulus.	McLennan.
Peeler.	Veale.
Perkins.	Ward.
Real.	Watson.
Senter.	Weinert.
Stokes.	Willacy.

Absent.

Harper.	Murray.
Kellie.	Thomas.

The bill was read third time, and passed by the following vote:

Yeas—28.

Adams.	Paulus.
Alexander.	Peeler.
Brachfield.	Perkins.
Bryan.	Real.
Cofer.	Senter.
Greer.	Stokes.
Hayter.	Sturgeon.
Holsey.	Terrell of Bowie.
Hudspeth.	Terrell of McLennan.
Hume.	Veale.
Kellie.	Ward.
Masterson.	Watson.
Mayfield.	Weinert.
Meachum.	Willacy.

Absent.

Harper.	Thomas.
Murray.	

Senator Alexander moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

BILL SIGNED.

The Chair (Lieutenant Governor Davidson) gave notice of signing, and did sign, in the presence of the Senate, after its caption had been read, the following bill:

Senate bill No. 57, "An Act putting into effect the constitutional amendment adopted by the people at the last general election, relating to public schools, by amending Sections 50, 57, 58, 59, 60, 61, 63, 65, 66, 76, 77, 78, 80, 81 and 154, and adding 154a of Chapter 124 of the Acts of the Regular Session of the Twenty-ninth Legislature, relating to school districts and school funds, repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

ADJOURNMENT.

Here Senator Masterson moved to suspend the pending business, and take up a bill, and

Senator Meachum moved that the Senate adjourn until 10 o'clock tomorrow morning.

The motion to adjourn prevailed.

APPENDIX.

COMMITTEE REPORTS.

(Majority Report.)

Committee Room,

Austin, Texas, February 12, 1909.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Internal Improvements, to whom was referred

Senate bill No. 52, A bill to be entitled "An Act to regulate freight rates and charges on all kinds and classes of merchandise transported between places in Texas by railroad and other common carriers, and to define and prescribe the power and duties of the Railroad Commission of Texas with respect thereto, stipulating when this act becomes effective, declaring an emergency, and repealing all laws and parts of laws in conflict therewith,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do not pass.

BRACHFIELD, Chairman.

(Minority Report.)

Committee Room,

Austin, Texas, February 12, 1909.

Hon. A. B. Davidson, President of the Senate.

Sir: We, a minority of your Committee on Internal Improvements, to whom was referred

Senate bill No. 52, A bill to be entitled "An Act to regulate freight rates and charges on all kinds and classes of merchandise transported between places in Texas by railroad and other common carriers, and to define and prescribe the power and duties of the Railroad Commission of Texas with respect thereto, stipulating when this act becomes effective, declaring an emergency, and repealing all laws and parts of laws in conflict therewith,"

Have had the same under consideration, and beg leave to report same back

to the Senate with the recommendation that it do pass.

MAYFIELD,
MASTERSON,
HOLSEY,
TERRELL of McLennan.

Committee Room,

Austin, Texas, February 15, 1909.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Judiciary Committee No. 1, to whom was referred

Senate bill No. 134, A bill to be entitled "An Act to repeal Section 12 of an act passed by the First Called Session of the Thirtieth Legislature, Chapter 18, entitled, "An Act to provide for the levy and collection of an occupation tax upon individuals, companies, corporations and associations pursuing any of the occupations, viz.: express companies; telegraph and wireless telegraph; gas; electric light, electric power or waterworks, or water and light business; collecting agency business; commercial agency business; commercial reporting agency business; business of foreign corporations owning stock cars, refrigerator and fruit cars, tank cars, coal cars, furniture cars, common box and flat cars, and leasing, renting or charging mileage for the use of such cars within the State of Texas; business of owning, operation, leasing or renting pipe line or pipe lines; sleeping car, palace car, dining car business; life insurance business, fire insurance business, fire and marine business, marine, marine and inland insurance company business, life and accident, life and health, accident, credit, title, steam boiler, live stock, and casualty insurance business; surety and guaranty insurance company business; business of wholesale dealers in coal oil, naphtha, benzine and other mineral oils refined from petroleum, and defining wholesale dealers; wholesale distributors or wholesale dealers in spirituous, vinous or malt liquors or medicated bitters capable of producing intoxication, and defining wholesale distributors and dealers; the business of street railway companies, the business of interurban, trolley, traction or electric street railway companies; the business of wholesale and retail dealing in pistols, the business of owning or operating or controlling a telephone business; the business of publishing, printing and selling text-books or law books, or either; the business of owning, controlling, managing or leasing oil wells; the business of owning, controlling, managing or

operating any terminal railway company or terminal railway; and providing for the levy and collection of an occupation tax on individuals, companies, firms, corporations and associations who begin the pursuit of any such occupation taxed herein on or before the beginning date of the quarter as fixed herein; and providing for penalties for violation of the provisions of this act; and giving the State Revenue Agent authority to assist in the enforcement of the provisions of this act; and repealing all laws and parts of laws in conflict herewith; and to exempt all persons, associations of persons, firms and corporations upon whose business an occupation tax is herein levied from the operation of the act approved April 17, 1905, of the Twenty-ninth Legislature, being Chapter 146 thereof, providing for the taxation of the intangible assets of certain corporations, associations and individuals, and to repeal all sections of the act approved April 17, 1905, of the Twenty-ninth Legislature, being Chapter 148 thereof, imposing an occupation tax upon the occupations herein taxed, preserving all liabilities, obligations and penalties incurred or fixed in Chapter 148, Acts Twenty-ninth Legislature, approved April 17, 1905, and all causes of action and suits arising thereunder, and to declare an emergency,' and declaring an emergency,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

BRACHFIELD, Acting Chairman.

Committee Room,

Austin, Texas, February 15, 1909.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Judiciary Committee No. 1, to whom was referred

House bill No. 221, A bill to be entitled "An Act to promote the safety of travelers and employes by compelling common carriers engaged in commerce by railroad within the State of Texas, to equip their locomotives, tenders, cars and similar vehicles used in moving intrastate traffic within said State with certain safety devices and appliances, and providing penalties for violations of this act, and providing further that employes of such carriers continuing in the service with notice or knowledge of such violations shall not be held to have assumed the risk of injuries resulting from the same, and declaring an emergency,"

Have had the same under consideration, and I am instructed to report it

back to the Senate with the recommendation that it do pass.

BRACHFIELD, Acting Chairman.

Committee Room,

Austin, Texas, February 15, 1909.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Judiciary Committee No. 1, to whom was referred

Senate bill No. 82, A bill to be entitled "An Act to amend Article 3151 of Chapter 2, Title 2 of the Revised Civil Statutes of the State of Texas of 1895,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

BRACHFIELD, Acting Chairman.

Committee Room,

Austin, Texas, February 15, 1909.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Judiciary Committee No. 1, to whom was referred

Senate bill No. 162, A bill to be entitled "An Act making an appropriation for the recovery of lands belonging to or claimed for the public schools and other lands of the State of Texas, and for the enforcement of any and all laws of the State of Texas concerning public land or lands belonging to the State of Texas, or to any of its special funds or institutions; providing the manner of expending such appropriation; and declaring an emergency,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it be referred to the Committee on Finance.

BRACHFIELD, Acting Chairman.

The above report was read and adopted.

The Chair referred the bill as requested in above report.

(Majority Report.)

Committee Room,

Austin, Texas, February 15, 1909.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Judiciary Committee No. 1, to whom was referred

Senate bill No. 71, A bill to be entitled "An Act to provide that no assignment of wages to secure a loan or a debt of less than two hundred dollars (\$200) shall be valid against an employer, unless certain provisions are complied with; and providing that no such assign-

ment of a married man shall be valid unless the written consent of the wife is obtained and attached thereto, and declaring an emergency,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

BRACHFIELD, Acting Chairman.

(Minority Report.)

Committee Room,

Austin, Texas, February 15, 1909.

Hon. A. B. Davidson, President of the Senate.

Sir: We, a minority of your Judiciary Committee No. 1, to whom was referred

Senate bill No. 71, A bill to be entitled "An Act to provide that no assignment of wages to secure a loan or a debt of less than two hundred dollars (\$200) shall be valid against an employer, unless certain provisions are complied with; and providing that no such assignment of a married man shall be valid unless the written consent of the wife is obtained and attached thereto, and declaring an emergency,"

Have had the same under consideration, and beg leave to report it back to the Senate with the recommendation that it do not pass.

COFER,
HUME.

Committee Room,

Austin, Texas, February 15, 1909.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Judiciary Committee No. 1, to whom was referred

Senate bill No. 124, A bill to be entitled "An Act to regulate the procedure in the appellate courts of this State, and to provide for the filing of the original statement of facts as a part of the record on appeal and writ of error, in all causes on appeal or writ of error from all courts both civil and criminal, with an emergency clause,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

BRACHFIELD, Acting Chairman.

Committee Room,

Austin, Texas, February 12, 1909.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on State Penitentiaries, to whom was referred

Senate bill No. 159, A bill to be entitled

"An Act to provide for the appointment of three members of the Senate by the Lieutenant Governor of the State and four members of the House by the Speaker thereof, who shall constitute a Committee on Investigation to visit the penitentiaries located at Huntsville and Rusk, respectively, and such other places as convicts of the State may be detained, if in their judgment necessary, to the end that a thorough investigation of the penitentiaries' systems may be made, etc.,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

WEINERT, Chairman.

Committee Room,

Austin, Texas, February 13, 1909.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Education, to whom was referred

Senate bill No. 188, A bill to be entitled "An Act to incorporate McLean Independent School District; to provide for election of officers, the issuance of bonds, etc., and declaring an emergency,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

ALEXANDER, Chairman.

Committee Room,

Austin, Texas, February 13, 1909.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Education, to whom was referred

Senate bill No. 192, A bill to be entitled "An Act to amend Section 1, Chapter 6, of the special laws enacted by the Thirtieth Legislature, entitled 'An Act incorporating the Baird Independent School District, in Callahan county, Texas, for free school purposes only, defining its boundaries and providing for a board of trustees; divesting the city of Baird of the control of its public schools and title to school property, and vesting the same in said Baird Independent School District and its board of trustees; prescribing the rights, powers, privileges and duties of said Baird Independent School District and its board of trustees, and repealing all laws in conflict herewith,'"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recom-

mentation that it do pass, and be not printed.

ALEXANDER, Chairman.

Committee Room,

Austin, Texas, February 13, 1909.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Education, to whom was referred

Senate bill No. 171, A bill to be entitled "An Act to amend Sections 2, 3, 4, 5 and 6, of Chapter 124 of the Acts of the Regular Session of the Twenty-ninth Legislature, relating to the investment of the permanent school fund by the Board of Education, by providing for purchase by said Board of bonds of the United States, the State of Texas, the bonds of the counties of the State of Texas, the bonds of the independent school districts of Texas and of the common school districts of said State, and declaring an emergency,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

ALEXANDER, Chairman.

Committee Room,

Austin, Texas, February 13, 1909.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Education, to whom was referred

Senate bill No. 184, A bill to be entitled "An Act to provide for the teaching of agriculture, manual training and domestic science in the State normal schools at Huntsville, Denton and San Marcos,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

ALEXANDER, Chairman.

(Majority Report.)

Committee Room,

Austin, Texas, February 13, 1909.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Education, to whom was referred

Senate bill No. 36, A bill to be entitled "An Act to establish a school of technology and agriculture for the instruction of white persons in the branches of mechanical, electrical, civil, textile and mining engineering, engineering chemistry, agriculture, mechanical arts and the natural sciences connected therewith at Weatherford, Texas, upon conditions

named; providing for the appointment of a board of regents and defining their powers and duties; making an appropriation to carry out the purposes of this act, and declaring an emergency,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

ALEXANDER, Chairman.

(Minority Report.)

Committee Room,

Austin, Texas, February 13, 1909.

Hon. A. B. Davidson, President of the Senate.

Sir: We, a minority of your Committee on Education, to whom was referred

Senate bill No. 36, A bill to be entitled "An Act to establish a school of technology and agriculture for the instruction of white persons in the branches of mechanical, electrical, civil, textile and mining engineering, engineering chemistry, agriculture, mechanical arts and the natural sciences connected therewith at Weatherford, Texas, upon conditions named; providing for the appointment of a board of regents, and defining their powers and duties; making an appropriation to carry out the purposes of this act, and declaring an emergency,"

Have had the same under consideration, and beg leave to report same back to the Senate with the recommendation that it do not pass.

BRACHFIELD,
HARPER.
STURGEON.

Committee Room,

Austin, Texas, February 15, 1909.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 51, A bill to be entitled "An Act to provide for the revising, digesting, annotating and publishing the laws, civil and criminal, of the State of Texas, making an appropriation therefor, and declaring an emergency,"

And find the same correctly engrossed.

WARD, Chairman.

PETITIONS AND MEMORIALS.

By Senator Senter:

We, the undersigned citizens of Dallas, Texas, believing a State training

school for children to be a necessity for reclaiming incorrigibles, endorse the bill providing for such an institution, as prepared by joint committees from the County Judges and Commissioners' Association of Texas and the Texas Federation of Women's Clubs, and hereby request our legislators to give the bill their immediate support.

Numerously signed.

Hon. C. C. Stokes, Austin, Texas:

We, as citizens of your senatorial district and home county of Houston, beg this leave of entering protest against certain bills now pending before the Legislature, viz.: House bills Nos. 93 and 97 and Senate bills Nos. 19 and 9. We consider the passage of these would be detrimental to our common good, and Senate bill No. 9, in our estimation, is nothing short of "class legislation," and we feel no delicacy in asking that you vote against this measure. We understand it proposes levying a \$1200 annual tax on one of our most needed conveniences, "the itinerant medicine vender." If you would sanction and comply with the will of the people you will vote and use your utmost influence against the above-named measures.

Numerously signed.

By Senator Terrell:

Senator J. M. Terrell. Austin, Texas:

We, the undersigned citizens of your district, have been accustomed to have our family medicines delivered to our homes by salesmen who call on us from time to time during the year, this being quite a convenience to us, and we respectfully desire that you consider this for us when you take under consideration the bill now before the Legislature placing a prohibitive tax on this method of selling drugs, and known as the drug venders' bill.

Numerously signed.

By Senator Senter:

To the Legislature of the State of Texas:

We, the undersigned citizens, farmers and customers of the traveling medicine men in Dallas county, Texas, hereby protest against any bill that would have the effect to prohibit their business, for we are well pleased with their plan of selling direct to us, and do not want them to be put out of business. They treat us fair, sell us the best of goods and save us money on our purchases. We think a \$75 per year occupation tax

is enough and it should be applied to the county road and bridge fund, and we are opposed to an excessive tax or a pharmacist's license law for them, as being unfair and unnecessary.

Numerously signed.

By Senator Alexander:

Petition to the Texas Legislature from the citizens of Polytechnic Heights, Fort Worth, Texas:

Whereas, The present statute of the State seems defective and does not meet the demands of good society, touching the great evil of race track gambling as now committed at the Dallas Fair and other places where "race meets" are held; and

Whereas, Under the present laws this crime is fostered in our State and offers an inducement to the professional gambler, expelled from other States, to come to Texas and thereby prey upon the innocent and educate our young men and youths to crime, we, the undersigned citizens hereby petition the ensuing Legislature to so amend the present laws as to make no exceptions whatsoever to the law forbidding gambling.

Numerously signed.

TWENTY-SIXTH DAY.

Senate Chamber,

Austin, Texas,

Tuesday, February 16, 1909.

Senate met pursuant to adjournment, Lieutenant Governor A. B. Davidson presiding.

Roll call, quorum present, the following Senators answering to their names:

Adams.	Paulus.
Alexander.	Peeler.
Brachfield.	Perkins.
Bryan.	Real.
Cofer.	Senter.
Greer.	Stokes.
Hayter.	Sturgeon.
Holsey.	Terrell of Bowie.
Hudspeth.	Terrell of McLennan.
Hume.	Veale.
Kellie.	Ward.
Masterson.	Watson.
Mayfield.	Weinert.
Meachum.	Willacy.
Murray.	

Absent.

Harper.

Thomas.

Prayer by the Chaplain, Rev. H. M. Sears.

Pending the reading of the Journal of